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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS--EASTERN DIVISION**

84 Lumber Company, a Pennsylvania Limited
Partnership

Plaintiff,

-vs-

Boss Construction, Inc. and Steven Roger Smith

Defendant(s)

08 cv 958

No. 08CV-958

Honorable Blanche M. Manning

AGREED ORDER

THIS MATTER coming to be heard pursuant to stipulation of the parties, the Court having jurisdiction over the parties and subject matter hereof, and being fully advised in the premises, and finding that the parties are in agreement, the parties now seeking leave of court to voluntarily dismiss this cause;

IT IS HEREBY ORDERED:

1. The Payment Stipulation executed between the parties, a true and correct copy of which is attached to this Order as Exhibit "A", is expressly incorporated herein and made a part hereof;
2. This cause is hereby dismissed without prejudice, and the Court specifically finds that it will retain jurisdiction over the parties to enforce the terms of the Stipulation;
3. The Plaintiff is granted leave to move, upon due notice, to vacate the Order of Dismissal and reinstate, with waiver of the clerk's fee, for the purpose of an entry of judgment if the Defendant fails to comply with the provisions of the attached Payment Stipulation.

Dated: August 4, 2008

ACCEPTED FOR PLAINTIFF:

BY: [Signature]

Edward S. Margolis
One of its attorneys

ACCEPTED FOR DEFENDANT:

BY: [Signature]

Marty Schwartz
One of its attorneys

DATED: August 11, 2008

ENTER:

[Signature]
Judge Judge's No.

MICHAEL W. DOBBINS, CLERK OF THE United States District Court